

### REMARKS

The specification has been amended, in accordance with 37 C.F.R. § 1.78(a)(2), to include a reference to the parent Patent Cooperation Treaty international application to which the present application claims priority under 35 U.S.C. § 120.

As discussed with Examiners Sun and Lau of GAU 2863 on January 18, 2007, Applicant identified the priority application in the transmittal filed with the application (a copy of which is attached), and the U.S.P.T.O. recognized the priority claim, as evidenced by the filing receipt mailed May 6, 2004 (copy attached). The image file wrapper also contains Bibliographic Data Sheets dated March 17, 2005, October 5, 2005, June 26, 2006, and October 31, 2006 (copies attached), which recognize the priority claim and which were initiated by Examiner Sun. It is therefore believed that no petition or fee should be necessary for entry of this Amendment, in accordance with M.P.E.P. § 201.11(III)(D):

If an applicant includes a benefit claim in the application but not in the manner specified by 37 CFR 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 CFR 1.78(a), the Office will not require a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt.

Accordingly, Applicant respectfully requests entry of this Amendment.

In addition, Applicant notes that the most recent Bibliographic Data Sheet, dated November 28, 2006 (copy attached), does not list the priority data. Applicant respectfully requests that the Examiner issue a new Bibliographic Data Sheet correctly

presenting the priority data, so that the data will appear correctly on the face of the issued patent.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John D. Murnane", with a long, sweeping horizontal flourish extending to the right.

John D. Murnane  
Registration No. 29,836

Carl B. Wischhusen  
Registration No. 43,279

Attorneys for Applicant

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_Main 613261\_1